

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PAUL CULBERTSON, KATHY NEAL,  
KELLY ALLISON-PICKERING, JESSICA  
HAIMAN, ALEXANDER CABOT, BRIANA  
JULIUS, NICHELLE NEWLAND,  
BERNADETTE NOLEN and ALEXANDREA  
POLICHENA, *individually and on behalf of all  
others similarly situated,*

Plaintiffs,

v.

DELOITTE CONSULTING LLP,

Defendant.

**Case No.: 1:20-cv-3962-LJL**

**NOTICE OF MOTION TO DISMISS OF  
DEFENDANT DELOITTE CONSULTING LLP**

Defendant Deloitte Consulting LLP (“Deloitte”) moves to dismiss Plaintiffs’ Amended Consolidated Class Action Complaint (“Amended Complaint”) for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1) due to Plaintiffs’ lack of standing and under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief may be granted.

Deloitte’s Motion is based on the Amended Complaint, all documents attached thereto and incorporated by reference, Deloitte’s Memorandum of Law in Support, and the Declaration of Phyllis B. Sumner filed contemporaneously herewith.

Respectfully submitted this 21st day of October, 2020.

***[Signature on following page]***

/s/ Phyllis B. Sumner

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